

**Response To Office Action Mailed July 22, 2005**

**A. Pending Claims**

Claims 1, 4-11, 14-25 are pending. Claims 1, 11, 21, and 22 have been amended for clarification.

**B. The Claims Are Patentable Over Mages Pursuant To 35 U.S.C. § 102(e)**

Claims 1, 4, 6, 10, 11, 14, 16, and 20-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,035,329 to Mages et al. ("Mages"). Applicant submits that the claims are patentable over Mages.

The Office Action states:

(Mages) discloses a "multimedia information playback apparatus" (See Figs. 1 and 2). The system comprises a DVD player or "first input means" for receiving multimedia information including video data and audio data distributed from a DVD disk...The system also has data ports or "second input means" for receiving enabling/critical data or "control information" distributed from a second distribution source, wherein the second distribution source is an Internet server/cable-TV provider...The DVD player also serves the function as the "playback means" for playing back the multimedia information received by the first input means on the basis of the control information received by the second input means. (Office Action, page 3).

Claims 1, 11, 21, and 22 have been amended for clarification. Claim 1 includes a combination of features including, but not limited to, the features of "second input means for receiving control information distributed from a second distribution source" and "wherein the control information comprises one or more instructions for reading the multimedia information on the storage device." Claim 1 also includes a combination of features including, but not limited to, the features of "wherein the playback means plays back the multimedia information which is distributed from the storage device and received by said first input means, on the basis

of at least one of the instructions of the control information which is distributed from the network server and received by said second input means.”

Claim 11 includes a combination of features including, but not limited to, the features of “a second step of receiving control information distributed from a second distribution source” and “wherein the control information comprises one or more instructions for reading multimedia information on the storage device.” Claim 11 also includes a combination of features including, but not limited to, the features of “a third step of playing back the multimedia information received by execution of the first step on the basis of at least one of the instructions for reading multimedia information of the control information received by execution of the second step.”

Claim 21 includes a combination of features including, but not limited to, the features of “a second input unit configured to receive control information during use” where “the control information comprises one or more instructions for reading multimedia information on the storage device.” Claim 21 also includes a combination of features including, but not limited to, the features of “a playback unit configured to play back multimedia information received by the first input unit based on at least one of the instructions for reading multimedia of the control information received by the second input unit during use.”

Claim 22 includes a combination of features including, but not limited to, the features of “receiving control information” where “the control information comprises one or more instructions for reading multimedia information on the storage device.” Claim 22 also includes a combination of features including, but not limited to, the features of “playing back the received multimedia information based on at least one of the received instructions for reading multimedia information of the control information.”

Applicant’s Specification states:

The control information includes not only an IFO file, but also commands necessary for read control, e.g., the pre- and post-commands of a program chain in a VOB file. (Applicant’s Specification, page 1, lines 30-32);

The first navigator is a program for analyzing control information recorded on a DVD-ROM, i.e., a command in an IFO file or a command necessary for read control, and outputting as an instruction a read control request of controlling a device in reading out multimedia information recorded on the DVD-ROM. The command necessary for read control includes, e.g., the pre-command and post-command of a program chain. Unlike the first navigator, the second navigator outputs a control request without analyzing control information such as a command in an IFO file, and has pseudo control information (to be described later) as program data. (Applicant's Specification, page 5, lines 12-19); and

The playback apparatus having this arrangement always plays back multimedia information such as pictures recorded on a DVD-ROM on the basis of the contents of an IFO file, and thus cannot play back multimedia information in a different playback order. To the contrary, Japanese Patent Laid-Open No. 11-162089 entitled "Data Reproduction Controller, Storage Medium Used for The Same, and Data Reproduction Control Method" discloses a technique of playing back pictures in an order different from that defined in control information recorded on a medium in advance. If, however, a VOB file on a DVD-ROM is to be played back by replacing an IFO file with another one, as disclosed in this reference, a third party may perform illicit copying or tamper because the IFO file itself can be copied or tampered by a general-purpose computer or the like. (Applicant's Specification, page 2, lines 10-20).

Mages states:

The player-software seeks permission from the service-provider the downloading of the missing, critical data (block 62). After the Hyper-DVD player of the customer's computer or cable box, has received the missing, critical data, the critical data is merged with the crippled, or encrypted, data on the Hyper-DVD-ROM (block 64). Then, the uncrippled software of the Hyper-DVD-ROM is read by the DVD-player for playback. (Mages, column 4, lines 34-41); and

The critical, or enabling, data for allowing access to the DVD-ROM data may be any of those set forth in Applicant's above-mentioned copending patent applications, such as missing header, etc., and may also include conventional password, ID, security methods, or other standard verification keys, which are well-known and conventional. (Mages, column 4, lines 8-14).

Mages appears to teach a DVD that lacks critical data such as, a password or header.

Mages appears to teach obtaining the critical data from a server and merging the critical data with the data on a DVD. Mages does not appear to teach or suggest an apparatus for receiving control information comprising instructions for reading the multimedia information on the storage

device. Mages does not appear to teach or suggest playing the information on storage device using the instructions in the control information. Applicant submits that merging data that is critical or missing from a DVD with data received from a server is different from playing information on a storage device using instructions for reading multimedia information from control information received from a server.

Applicant submits that the cited art does not appear to teach or suggest all the features of the claim. Applicant respectfully requests removal of the rejections to claims 1, 11, 21, and 22 and the claims dependent thereon.

The Office Action included a rejection of claim 4 in view of Mages. Claim 4 includes the feature of “wherein the playback means has a first playback mode in which said playback means plays back the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the storage device and received by said second input means, and wherein the play back of the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the network server and received by said second input means by the said playback means is a second playback mode, and the apparatus further comprises switching means for switching a playback mode to either one of the first and second playback modes” in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 4 in combination with the features of claim 1.

The Office Action included a rejection of claim 6 in view of Mages. Claim 6 includes the feature of “a first navigator unit for reading out the control information in the storage device by said second input means in the first playback mode, analyzing the readout control information, and controlling read of the multimedia information in the storage device in accordance with an analysis result; and a second navigator unit for controlling read of the multimedia information in the storage device on the basis of the control information distributed from the network server in the second playback mode” in combination with the features of claim 1. Applicant respectfully

submits that the cited art does not teach or suggest the features in claim 6 in combination with the features of claim 1.

The Office Action included a rejection of claim 10 in view of Mages. Claim 10 includes the feature of “wherein the control information contains a program for checking user operation contents, and when user operation is detected during playback of the multimedia information, said playback means executes the program, and plays back multimedia information corresponding to the user operation contents” in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 10 in combination with the features of claim 1.

The Office Action included a rejection of claim 14 in view of Mages. Claim 14 includes the feature of “a fifth step of playing back the multimedia information which is distributed from the storage device and received by execution of the first step, on the basis of the control information which is distributed from the storage device and received by execution of the second step; and a sixth step of playing back the multimedia information which is distributed from the storage device and received by execution of the first step, on the basis of the control information which is distributed from the network server and received by execution of the second step; and the method further comprises a seventh step of executing either one of the fifth and sixth steps” in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 14 in combination with the features of claim 1.

The Office Action included a rejection of claim 16 in view of Mages. Claim 16 includes the feature of “an eighth step of reading out the control information in the storage device on the basis of execution of the second step in executing the fifth step, analyzing the readout control information, and controlling read of the multimedia information in the storage device in accordance with an analysis result; and a ninth step of controlling read of the multimedia information in the storage device on the basis of the control information distributed from the network server in executing the sixth step” in combination with the features of claims 1 and 14.

Applicant respectfully submits that the cited art does not teach or suggest the features in claim 16 in combination with the features of claims 1 and 14.

The Office Action included a rejection of claim 20 in view of Mages. Claim 20 includes the feature of “wherein the control information includes a program for checking user operation contents, and the third step comprises a fifth step of, when user operation is detected during playback of the multimedia information, executing the program, and playing back multimedia information corresponding to the user operation contents” in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 20 in combination with the features of claim 1.

The Office Action included a rejection of claim 23 in view of Mages. Claim 23 includes the feature of “wherein the first distribution source is a DVD-ROM” in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 23 in combination with the features of claim 1.

The Office Action included a rejection of claim 24 in view of Mages. Claim 24 includes the feature of “wherein the first distribution source is a DVD-ROM” in combination with the features of claim 11. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 24 in combination with the features of claim 11.

The Office Action included a rejection of claim 25 in view of Mages. Claim 25 includes the feature of “wherein the first distribution source is a DVD-ROM” in combination with the features of claim 22. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 25 in combination with the features of claim 22.

**C. The Claims Are Patentable Over Mages In View of Kamo Pursuant To 35 U.S.C. § 103(a)**

Claims 5 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mages in view of U.S. Published Patent Application No. 2002-0057694 to Kamo (“Kamo”). Applicant respectfully disagrees that the claims are unpatentable over Mages in view of Kamo.

The Office Action included a rejection of claim 5 in view of Mages and Kamo. Claim 5 includes the feature of “wherein said switching means comprises: authentication means for authenticating the network server upon reception of a switching request signal from a user; and means for switching the playback mode of said playback means to the second playback mode when said authentication means authenticates the network server as an authentic network server” in combination with the features of claim 1. Claim 1 includes a combination of features including, but not limited to, the features of “wherein the playback means plays back the multimedia information which is distributed from the storage device and received by said first input means, on the basis of at least one of the instructions of the control information which is distributed from the network server and received by said second input means.”

For at least the reasons previously mentioned, Mages does not appear to teach or suggest at least the quoted features of the claim. Kamo also does not appear to teach or suggest an apparatus for receiving control information comprising instructions for reading the multimedia information on the storage device. Kamo also does not appear to teach or suggest playing the information on storage device using the instructions in the control information. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 5 in combination with the features of claim 1. Applicant respectfully requests removal of the rejection to the claim 5.

The Office Action included a rejection of claim 15 in view of Mages and Kamo. Claim 15 includes the feature of “an eighth step of authenticating the network server upon reception of a switching request signal from a user; and a ninth step of executing the sixth step when the

network server is authenticated as an authentic network server on the basis of execution of the eighth step” in combination with the features of claim 1. Claim 11 includes a combination of features including, but not limited to, the features of “a third step of playing back the multimedia information received by execution of the first step on the basis of at least one of the instructions for reading multimedia information of the control information received by execution of the second step.”

For at least the reasons previously mentioned, Mages does not appear to teach or suggest at least the quoted features of the claim. Kamo also does not appear to teach or suggest an apparatus for receiving control information comprising instructions for reading the multimedia information on the storage device. Kamo also does not appear to teach or suggest playing the information on storage device using the instructions in the control information. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 15 in combination with the features of claim 11. Applicant respectfully requests removal of the rejection to the claim 15.

**D. The Claims Are Patentable Over Mages In View Of Dan Pursuant To 35 U.S.C. § 103(a)**

Claims 7, 9, 17, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mages in view of U.S. Patent No. 5,561,637 to Dan et al. (“Dan”). Applicant respectfully disagrees that the claims are unpatentable over Mages in view of Dan.

The Office Action included a rejection of claim 7 in view of Mages and Dan. Claim 7 includes the feature of “wherein the network server generates group management information for managing a plurality of users having similar personal information as one group and generates, based on the group management information, for controlling playback of the multimedia information, and wherein the playback means plays back the multimedia information based on the generated control information” in combination with the features of claim 1. Applicant



respectfully submits that the cited art does not teach or suggest the features in claim 7 in combination with the features of claim 1.

The Office Action included a rejection of claim 9 in view of Mages and Dan. Claim 9 includes the feature of “wherein the network server distributes multimedia information of digital broadcasting having a plurality of channels, and said playback means plays back multimedia information of a channel corresponding to the control information” in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 9 in combination with the features of claim 1.

The Office Action included a rejection of claim 17 in view of Mages and Dan. Claim 17 includes the feature of “wherein the network server comprises: a first step of generating group management information for managing a plurality of users having similar personal information as one group and generating, based on the group management information, the control information for controlling playback of the multimedia information; and wherein the third step comprises a fifth step of playing back the multimedia information on the basis of the control information generated by execution of the first step of the network server” in combination with the features of claim 11. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 17 in combination with the features of claim 11.

The Office Action included a rejection of claim 19 in view of Mages and Dan. Claim 19 includes the feature of “wherein the network server comprises: a first step of distributing multimedia information of digital broadcasting having a plurality of channels; and the third step comprises a fifth step of playing back multimedia information of a channel corresponding to the control information” in combination with the features of claim 11. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 19 in combination with the features of claim 11.

**E. The Claims Are Patentable Over Mages In View of Brown Pursuant to 35 U.S.C. § 103(a)**

Claims 8 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mages in view of U.S. Patent No. 6,732,179 to Brown et al. ("Brown"). Applicant respectfully disagrees that the claims are unpatentable over Mages in view of Brown.

The Office Action included a rejection of claim 8 in view of Mages and Brown. Claim 8 includes the feature of "wherein said playback means comprises determination means for, when change operation of the control information by a user is detected during playback of the multimedia information, determining whether to receive the change operation, in accordance with personal information of the user, and when said determination means determines that the change operation of the control information is receivable, said playback means plays back the multimedia information on the basis of the control information changed in accordance with user operation" in combination with the features of claim 1. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 8 in combination with the features of claim 1.

The Office Action included a rejection of claim 18 in view of Mages and Brown. Claim 18 includes the feature of "a fifth step of, when change operation of the control information by a user is detected during playback of the multimedia information, determining whether to receive the change operation, in accordance with personal information of the user; and a sixth step of, when the change operation of the control information is determined to be receivable by execution of the fifth step, playing back the multimedia information on the basis of the control information changed in accordance with user operation" in combination with the features of claim 11. Applicant respectfully submits that the cited art does not teach or suggest the features in claim 18 in combination with the features of claim 11.

F. **Additional Comments**

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5664-00100/EBM.

Respectfully submitted,



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